

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 23-cr-80140-Cannon/McCabe

UNITED STATES OF AMERICA,

v.

VICTOR VAN VICKERY,

Defendant.

REPORT & RECOMMENDATION

THIS CAUSE comes before the Court on a Motion for Disbursement of Bond filed by Defendant's wife, Lisa Vickery, which was referred to the undersigned by United States District Judge Aileen M. Cannon. (DE 71, DE 75). Because this motion concerns post-trial relief, the Court regards this referral to fall within the scope of 28 U.S.C. § 636(b)(3)(B). *See State Contracting & Eng'g Corp. v. Condotte Am., Inc.*, No. 97-7014-CV, 2005 WL 8165478, *2 (S.D. Fla. Aug. 12, 2005) (recognizing that post-trial motions can be referred under § 636(b)(3)). The Court therefore resolves this motion by way of Report and Recommendation. For the reasons set forth below, the undersigned **RECOMMENDS** that the motion be **GRANTED**.

I. DISCUSSION

This is a health care fraud case. On March 17, 2023, the Court authorized a pretrial release bond that called for Defendant to make a \$50,000 deposit into the court registry. (DE 11). The record shows that Defendant's wife, Lisa Vickery, deposited these funds into the court registry the same day. (DE 11-2). Defendant thereafter pled guilty, and the District Judge sentenced him to 87 months' imprisonment and ordered him to self-surrender to the U.S. Marshal by April 7, 2025. (DE 59, DE 64).

The record does not reflect whether Defendant self-surrendered to the U.S. Marshal as ordered by the Court. On October 3, 2025, the Court ordered the Government to advise the Court (a) whether Defendant self-surrendered to the U.S. Marshal as previously ordered, and (b) whether the Government opposes this motion to disburse the bond funds to Defendant's wife. (DE 78). The Government thereafter confirmed that Defendant self-surrendered to the U.S. Marshal as ordered and that the Government does not oppose the pending motion. (DE 79).

II. RECOMMENDATION & NOTICE OF RIGHT TO OBJECT

For the reasons stated above, the undersigned **RECOMMENDS** that the motion (DE 71) be **GRANTED** and that the District Judge authorize the Clerk of Court to pay the sum of \$50,000 to Lisa Vickery, which she previously deposited into the court registry for her husband's pretrial release bond.

The parties shall have fourteen (14) days from the date of being served with a copy of this Report and Recommendation within which to file written objections, if any, with the District Judge. Failure to file objections timely shall bar the parties from a de novo determination by the District Judge of an issue covered in the Report and Recommendation and shall bar the parties from attacking on appeal unobjected-to factual and legal conclusions contained in this Report and Recommendation. *See* 28 U.S.C. § 636(b)(1); 11th Cir. R. 3-1.

IF A PARTY DOES NOT INTEND TO OBJECT TO THIS REPORT AND RECOMMENDATION, THE PARTY SHALL FILE A NOTICE TO THAT EFFECT WITHIN FIVE (5) DAYS.

RESPECTFULLY SUBMITTED in Chambers at West Palm Beach in the Southern District of Florida, this 3rd day of October 2025.

A handwritten signature in blue ink, appearing to read 'R. McCabe', is written over a horizontal line.

RYON M. MCCABE
U.S. MAGISTRATE JUDGE